

**Remarks**

This is a Response to the Official Action dated March 9, 2005.

Claims 1-27 are currently pending in the Application.

**Claims 1-27**

This response amends Claims 1, 6, 10, 15-16, 19 and 24 to clarify the language of the claims.

This response amends Claim 16 by replacing the term "Transmission" with "transmission."

**Priority**

Applicant respectfully encloses herein a certified copy of the Taiwanese application 90109562 as required by 35 U.S.C. 119(b).

**Claim Objections**

The Examiner objects to Claims 1, 6, 10, 15, 19 and 24 for reciting "such that the second device receiving." Claims 1, 6, 10, 15, 19 and 24 have been amended to recite "such that the second device receives" as suggested by the Examiner.

The Examiner objects to Claim 19 for reciting "such that the first device receiving." Claim 19 has been amended to recite "such that the first device receives" as suggested by the Examiner.

**35 U.S.C. §102(e) Rejection**

Claims 1-5, 10-14 and 19-23 stand rejected under 35 U.S.C. §102(e) as being anticipated by Hind (U.S. Patent No. 6,772,331). Applicant respectfully disagrees.

The Examiner is reminded that "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art

reference.” MPEP 2131 quoting *Verdegaal Bros. V. Union Oil Co, of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The Examiner is also reminded that “[the] identical invention must be shown in as complete detail as is contained in the ... claim.” MPEP 2131 quoting *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Applicant submits that the Examiner has not shown that Hind teaches each and every element as set forth in the rejected claims. In particular:

Claim 1

Applicant submits that the Examiner has not shown that Hind discloses, suggests or teaches, *inter alia*, at least the following features recited by Claim 1, as amended, of the present application:

“...**displaying a login** number corresponding to the authentication number **on the second device** when the receiver of the second device locates the signal ...” (emphasis added)

Applicant submits that the Examiner failed to comply with 37 C.F.R. §1.104(c)(2) which states:

“In rejecting claims for want of novelty or for obviousness, the examiner must cite the best references at his or her command. When a reference is complex or shows or describes invention other than that claimed by Applicant, **the particular part relied on must be designated as nearly as practicable**. The pertinence, if not apparent, must be clearly explained and each rejected claim specified” (emphases added).

Applicant submits that the Examiner has failed to “designate as nearly as practicable” the particular part of Hind relied upon in making the assertion that Hind teaches “displaying a login ... on the second device” as recited in Claim 1.

Upon reviewing Hind, Applicant is unable to find where Hind discloses “displaying a login ... on the second device” as recited in Claim 1. According to Hind, when server 1001 receives an identifier 1015 from mobile device 1003 an administrator verifies that the identifier 1015 is correct by looking at the identifier printed on the device 1003 or

looking at the documentation concerning the device 1003. See column 9, lines 20-25 of Hind. Hind further discloses that a connection is established between the server 1001 and the device 1003 after the administrator enters a PIN or encryption key 1025 into device 1003 and/or server 1001. See column 9, lines 26-31 of Hind. Thus, Applicant respectfully requests that the assertion be withdrawn and Claim 1 be allowed. Claims 2-5, at least based on their dependency on Claim 1, are also believed to be patentable over Hind.

#### Claim 10

Applicant submits that at least for the reasons stated above the Examiner has not shown that Hind discloses, suggests or teaches “displaying a login number ... on the second device” as recited in Claim 10. Hence, Applicant respectfully requests that the rejection be withdrawn and Claim 10 be allowed. Claims 11-14, at least based on their dependency on Claim 10, are also believed to be patentable over Hind.

#### Claim 19

Applicant submits that at least for the reasons stated above the Examiner has not shown that Hind discloses, suggests or teaches “displaying a first login number ... on the second device” as recited in Claim 19. Hence, Applicant respectfully requests that the rejection be withdrawn and Claim 19 be allowed. Claims 20-23, at least based on their dependency on Claim 10, are also believed to be patentable over Hind.

#### 35 U.S.C. §103(a) Rejection

Claims 6-9, 15-18 and 24-27 stand rejected under 35 U.S.C. §103(a) as being obvious in view of Hind and further in view of Schneier, Applied Cryptography.

Applicant submits that the Examiner has **not** established a *prima facie* case of obviousness for the claims rejected under 35 U.S.C. §103(a). Applicant notes:

"To establish a *prima facie* case of obviousness, three basic criteria must be met. **First, there must be some suggestion or motivation**, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference

teachings. Second, there must be a reasonable expectation of success. **Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.** The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicant's disclosure" (emphases added) *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

Applicant submits that a *prima facie* case of obviousness has not been established for the reasons set forth below.

**Applicant submits that the Examiner has failed to show that Hind and Schneier teach each and every element as claimed in the present application.**

#### Claim 6

Applicant submits that the Examiner has not shown that Hind and Schneier discloses, suggests or teaches, *inter alia*, at least the following features recited by Claim 6, as amended, of the present application:

**"...displaying a login number** corresponding to the authentication number **on the second device** when the receiver of the second device locates the signal..." (emphasis added)

Applicant submits that Claim 6 is believed to be patentable over Hind and Schneier, because there is no *prima facie* 35 USC 103(a) case based on Hind, as shown above, and because the Examiner has not shown to the Applicant where Schneier discloses, teaches or suggests the features not found in Hind. Claims 7-9, at least based on their dependency on Claim 6, are also believed to be patentable over Hind.

#### Claim 15

Applicant submits that at least for the reasons stated above the Examiner has not shown that Hind discloses, suggests or teaches "displaying a login number ... on the second device" as recited in Claim 15. Hence, Applicant respectfully requests that the rejection

be withdrawn and Claim 15 be allowed. Claims 16-18, at least based on their dependency on Claim 15, are also believed to be patentable over Hind.

Claim 24

Applicant submits that at least for the reasons stated above the Examiner has not shown that Hind discloses, suggests or teaches “displaying a first login number ... on the second device” as recited in Claim 24. Hence, Applicant respectfully requests that the rejection be withdrawn and Claim 24 be allowed. Claims 25-27, at least based on their dependency on Claim 24, are also believed to be patentable over Hind.

Conclusion

In view of the above, reconsideration and allowance of all the claims are respectfully solicited.

The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 12-0415. In particular, if this response is not timely filed, then the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136 (a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 12-0415.

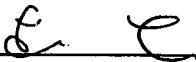
I hereby certify that this correspondence is being deposited with the United States Post Office with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents POB 1450, Alexandria, VA 22313-1450 on

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(Name of Person Signing)

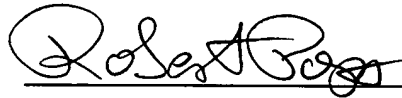
  
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June 7, 2005

(Date)

6/7/05

Respectfully submitted,



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